

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

**Civ. No. 05-1263 MV/DJS**

\$148,840.00 IN UNITED STATES CURRENCY,

*Defendant,*

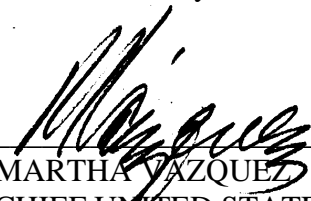
DAVID AUSTIN,

*Claimant.*

**FINAL JUDGMENT AND ORDER OF FORFEITURE**

This matter is before the Court on the Settlement Agreement and Release between the United States and Claimant David Austin. The Court has reviewed the agreement and is fully advised in the premises. The Court hereby Orders as follows:

1. The United States will return \$58,840.00 of defendant \$148,840.00 in U.S. Currency to Claimant David Austin.
2. All right, title and interest in \$90,000.00 of defendant \$148,840.00 in U.S. Currency is forfeited to the United States and title thereto is vested in the United States.
3. Each party will bear its own costs and attorney's fees in this case.

  
\_\_\_\_\_  
MARTHA VAZQUEZ  
CHIEF UNITED STATES DISTRICT JUDGE

SUBMITTED BY:

APPROVED BY:

\_\_\_\_\_  
/s/  
STEPHEN R. KOTZ  
Assistant U.S. Attorney  
Post Office Box 607  
Albuquerque, NM 87103  
Telephone: (505) 224-1464

\_\_\_\_\_  
/s/  
RICHARD M. BARNETT, ESQ.  
Attorney for Claimant David Austin  
105 West F Street, 4<sup>th</sup> Floor  
San Diego, California 92101  
Telephone: (619) 231-1182